

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALTA PARTNERS, LLC,

Plaintiff,

- against -

BRC INC.,

Defendant.

24-CV-3741 (AT) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves Alta’s letter motions concerning the deposition subpoenas served by BRC on two individuals formerly affiliated with Alta: Jared Verteramo, an attorney who was inhouse counsel to Alta for only two months, and Gregg Greenberg, a consultant of sorts. (See Dkts. 59-62, 66.) The request for a conference or “order barring BRC from taking [either] deposition, at least until BRC has deposed Messrs. Cohen, Zappia, and Grama” is granted in part and denied in part. No conference is warranted as the Court has enough information from the parties’ submissions to rule on the request.

The dispute essentially boils down to the facts that (i) both Mr. Verteramo and Mr. Greenberg had minor involvement in the events at issue; but (ii) they nevertheless participated in some non-privileged communications addressing the subject matter at issue; and (iii) the parties disagree about the meaning and significance of the communications. Under those circumstances, BRC is entitled to take limited depositions of both Mr. Verteramo and Mr. Greenberg. However, as Messrs. Cohen (in particular), Zappia, and Grama are by far the central players and their depositions may narrow or obviate the need for the depositions of Verteramo and Greenberg, the depositions of

Verteramo and Greenberg shall take place after the depositions of Cohen, Zappia, and Grama.

The Clerk of Court is respectfully directed to terminate the letter motions at Dkts. 59 and 60.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: March 21, 2025
New York, New York

Copies transmitted this date to all counsel of record.